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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,705	02/19/2004	Myoung-Bo Kwak	8021-193 (SS-18611-US)	5552
22150	7590	08/01/2007	EXAMINER	
F. CHAU & ASSOCIATES, LLC			MATIN, NURUL M	
130 WOODBURY ROAD			ART UNIT	PAPER NUMBER
WOODBURY, NY 11797			2611	
MAIL DATE		DELIVERY MODE		
08/01/2007		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/782,705	KWAK, MYOUNG-BO
	<b>Examiner</b>	<b>Art Unit</b>
	Nurul M. Matin	2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 29 June 2007.  
 2a) This action is FINAL. 2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-20 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-8,10,16,19 and 20 is/are rejected.  
 7) Claim(s) 9,11-15,17 and 18 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

1. The amendment filed on June 29<sup>th</sup>, 2007 overcomes the following objection/rejection of the last Office Action:

a. Rejection to the claims 13 and 14 for 35 U.S.C. 112 insufficient antecedent basis.

### ***Response to Arguments***

1. Applicant's arguments filed on June 29<sup>th</sup>, 2007 have been fully considered but they are not persuasive.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5, 10, 16, 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art (fig. 1) [hereinafter, refers to as "prior art"] in view of Shirota et al, US 2003/0142773 for the same reasons as set forth in the last Office Action.

3. Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art (fig. 1) [hereinafter, refers to as "prior art"], Shirota et al,

US 2003/0142773 and in view of Sato et al, US 6807233 for the same reasons as set forth in the last Office Action.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art (fig. 1& 2) [hereinafter, refers to as "prior art"], Shirota et al, US 2003/0142773 and in view of Baba et al, US 5528198 for the same reasons as set forth in the last Office Action.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art (fig.1 & 2) [hereinafter, refers to as "prior art"], Shirota et al, US 2003/0142773 and in view of Boss, US 7103343 for the same reasons as set forth in the last Office Action.

#### ***Response to Remarks***

In response to the applicant's remarks, applicant's argues that the reference fails to disclose that a clock signal generating circuit that generates at least two clock signal groups and dynamically selected one of the at least two clock signal groups for data recovery. Examiner respectfully disagrees. Applicant's admitted prior art teaches that a clock signal generating circuit that generates at least two clock signal group (fig.1), page 1, Para [0017], it teaches that prior art has 3 clock signal group, " the PLL 11 generates a plurality OSR (where OSR is an integer oversampling rate; OSR equals 3) of phase clock signals CLKA, CLKB, CLKC). The applicant's admitted prior art also teaches that the data recovery circuit that recovers the effective data from the serial data (which is SI\_DATA) by oversampling (which is the oversampler) the serial data (page 4, fig.1).

On the other hand, Shirota discloses about the dynamically selecting one of the at least two clock signal group (which will be the clock signal group (109) for the data recovery in page 2, figs. 1&2, Para [0035], "the DCR (data/clock recovery) circuit 104 selects from the clock signal group 109 the optimum clock signal for loading the receive output 107, and adopts it as the recovered clock signal 110 which is different than applicant's admitted prior art.

For the same reason above, the previous grounds or rejection as set forth in the last Office Action are maintained.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nurul M. Matin whose telephone number is 571-270-1188. The examiner can normally be reached on mon-fri (7:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nurul Matin  
Examiner

  
MOHAMMED GHAYOUR  
SUPERVISORY PATENT EXAMINER